GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of Preventive detention made by the Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam, in respect of Sri Gandha Santosh @ Gandham Santosh @ Whisky, S/o Nookanna, Age: 23 Years, Chengalaraopeta, Asipapa Street, Near Polamamba temple, I Town area, N/o Chinnanagamayya Palem, Bheemunipatnam, Visakhapatnam City, Andhra Pradesh State – Confirmed - Orders – Issued.

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GENERAL ADMINISTRATION (SC-I) DEPARTMENT

G.O.RT.No. 63 Dated: 10-01-2025

Read the following:-

1. From the Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam, Proceedings No.5788/MC-III/PD Act/2024 (M.O.No.69/2024), Dated: 23-11-2024.
2. Radio Message Lr.No.5788/MC-III/PD-Act/2024(M.O.No.69/2024), Dated: 23-11-2024, from Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam, along with Acknowledgement received from Superintendent of Jails, Central Prison, Visakhapatnam.
3. G.O.RT.NO.2044, G.A. (SC-I) Dept., Dated:29-11-2024.
4. W.M.No:2636204/SC-I/A3/2024-1, Dated: 29-11-2024
5. Letter No.2636204/SC-I/A3/2024-2, G.A. (SC-I) Dept., Dated: 04-12-2024.
6. Memo No:2636204/SC.I/A3/2024-3, G.A. (SC-I) Dept., Dated: 16-12-2024.
7. From the Chairman, Advisory Board Report on Preventive detentions Opinion & Minutes of the meeting Dt: 18-12-2024.

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ORDER:

WHEREAS, the Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam, has made an order of detention, vide reference 1st read above under Section-3(1) & (2) r/w Section 2(f) & 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against Sri Gandha Santosh @ Gandham Santosh @ Whisky, S/o Nookanna, Age: 23 Years, Chengalaraopeta, Asipapa Street, Near Polamamba temple, I Town area, N/o Chinnanagamayya Palem, Bheemunipatnam, Visakhapatnam City, Andhra Pradesh State, who is not having a license or holder of any permit to deal in any kind of Ganja or any other prohibited Narcotic drugs and Psychotropic substances under the provisions of Narcotic Drugs and Psychotropic Substances Act, 1985. There is a prohibition on cultivation, transportation, sale, purchase, possession storage of Ganja in any form. As such sale of Ganja is an offence and causing great loss to the national wealth and making huge damage to the public health. His activities come under

the category of "Drug Offender" under section 2(f) of the AP PD Act-1986. He has been involved as many as 14 cases since 2018 in Arilova PS, II Town PS, I Town PS, Visakhapatnam Police Commissionerate, out of them, 13 cases are pending against him. He was creating a severe disturbance to public order in Visakhapatnam City. Further he was perverse mentality of committing a much severe crime than his previous one shows his scant respect towards law. General public in Visakhapatnam City are prone to lose the confidence on judicial and law enforcement agencies if his activities are left unchecked. It is evident that the ordinary course of legal action had no effect on his psyche or activities and he has shown no remorse till date. These activities comes under the category of "Goonda" under section 2(g) of the AP PD Act-1986.

2. AND WHEREAS, the Government have accorded approval of the said detention order under sub-section (3) Section 3 of the Act, vide Government Orders 3rd read above;

3. AND WHEREAS, under Section 10 of the Act, Government within three weeks from the date of detention of a person under the order shall place the case before the Advisory Board on Preventive Detentions, constituted under Section 9 of the said Act, comprising of Justice Sri Neelam Sanjiva Reddy (Retired), Chairman and two Members and the Advisory Board shall submit its report to Govt., within seven weeks from the date of detention under Section 11(1) of the said Act. Accordingly, the above said case was placed before the Advisory Board for its consideration and to submit its report to Government, under Section 11 (1) of the said Act, vide reference 5th read above. The case was reviewed by the Advisory Board on 18-12-2024 through video conference. After having heard the detenue and the Investigating Officer, who have attended the Video Conference and also upon perusing the grounds of detention and the connected records, the Advisory board has unanimously reported and opined "there is sufficient cause for the detention of the detenue.

4. AND WHEREAS, the Government after careful examination of the entire record, it is observed that Sri Gandha Santosh @ Gandham Santosh @ Whisky, S/o Nookanna, Age: 23 Years, Chengalaraopeta, Asipapa Street, Near Polamamba temple, I Town area, N/o Chinnanagamayya Palem, Bheemunipatnam, Visakhapatnam City, Andhra Pradesh, is found to be involved in as many as in fourteen (14) cases mentioned in the grounds of detention. All the instances mentioned above clearly establish that he indulged in this illegal activity in a clandestine manner repeatedly, violating the provisions of NDPS Act, 1985 with a view to gain monetary benefit at the cost of health of poor people, as it is evident from number of such cases booked against him which are registered under various provisions U/s 324, 323 r/w 34, 307, 384 r/w 109, 324, 323 r/w 34, 307 r/w 34, 341 r/w 34 IPC, Sec 3(2)(v) of SC ST POA act 1989, 20(b), 353 IPC & Sec 20(b), 20(b)(ii) (C) of NDPS Act 1985, and U/s 109, 118(1),115(2), 32, 132 BNS. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such, the activities of the individual falls under and within the meaning of "Drug Offender" & "Goonda" as defined under section 2(f) & 2(g) of Act 1 of 1986. The detaining authority having taken into account and consideration of indulgence of the detenue in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb him illegal activities, has passed the detention order against the detenue by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order. The Advisory Board after review of the case, has

opined that there is sufficient cause for the detention of the detenue. As such, the detenue deserves the maximum period of detention, as provided under Section 13 of the Act.

5. Now, therefore, after due consideration of the report of the Advisory Board and the material available on record, and in exercise of the powers conferred under sub-section (1) of Section 12 read with Section 13 of the said Act, the Order of Detention made by the Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam, in the reference 1 st read above, as approved in the G.O.3 rd read above are hereby confirmed by the Government. The detention of Sri Gandha Santosh @ Gandham Santosh @ Whisky, S/o Nookanna, Age: 23 Years, Chengalaraopeta, Asipapa Street, Near Polamamba temple, I Town area, N/o Chinnanagamayya Palem, Bheemunipatnam, Visakhapatnam City, Andhra Pradesh, shall be for a period of 12 (Twelve) months from the date of his detention, i.e., 22-11-2024 under Section 13 r/w Section 12(1) of the said Act 1/1986.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. VIJAYANAND
CHIEF SECRETARY TO GOVERNMENT

To
Sri Gandha Santosh @ Gandham Santosh @ Whisky, S/o Nookanna, Age: 23 Years, Chengalaraopeta, Asipapa Street, Near Polamamba temple, I Town area, N/o Chinnanagamayya Palem, Bheemunipatnam, Visakhapatnam City, Andhra Pradesh State through the Superintendent of Jails, Cetral Prison, Visakhapatnam.
The Superintendent of Jails, Central Prison, Visakhapatnam (He should serve the Order on the detenue immediately under proper dated acknowledgment and arrange to read over and explain the contents of the same in the language known to the detenue and report compliance to the Government forthwith)
The Commissioner of Police & Additional District Magistrate, Police Commissionerate, Visakhapatnam.
The Superintendent of Police, Visakhapatnam.
Copy to:
The Director General of Police, A.P., Mangalagiri, Guntur District.
The Director General of Prisons and Correctional Services, A.P., Vijayawada.
The Additional Director General of Police (Intelligence), A.P., Vijayawada.
The Spl. G.P., Attached to Learned Advocate General, High Court of A.P., High Court Buildings, Hyderabad.
SF/SC (2636204).

//FORWARDED:BY ORDER//

SECTION OFFICER (SC)